

REMARKS

Upon entry of the present amendment, claims 1-5, 7, 8, 10-14, 16, 17, 19, 20 and 24-28 will remain pending in the present application and will have not been amended by the present response. Rather, these claims are in the same form as amended and submitted by the Supplemental Amendment and Interview Summary filed on May 31, 2007. A copy of the claims is included for completeness and, since the previous amendments of the claims contained in the reply filed May 31, 2007, were not considered in the outstanding Official Action.

In the outstanding Official Action, the Examiner rejected claims 1-5, 7, 10, 11, 13-17, 19, 20 and 22-25 under 35 U.S.C. § 103 as unpatentable over MARUCCI et al. (U.S. Patent No. 6,582,451) in view of SCHMALTZ et al. (U.S. Patent No. 6,050,996) and further in view of SLATER et al. (U.S. Patent No. 5,482,054).

Applicant respectfully traverses the above rejection and submits that it is inappropriate with respect to the combination of features recited in Applicant's claims particularly as amended in view of the Interview Summary and amendments contained in the above-mentioned Supplemental Amendment and Interview Summary of May 31, 2007.

To briefly summarize the above-noted interview, a more complete record of which is contained in the above-mentioned reply filed on May 31, 2007, and the entirety of which is incorporated herein by reference. Applicant submits as follows:

On May 17, 2007, an extensive telephone discussion was conducted between Applicant's undersigned representative and the Examiner in charge of the present application. During the above-noted interview, the Examiner explained the manner in which he was interpreting various claim limitations and, accordingly, the Examiner's interpretations thereof. Without acquiescing to the Examiner's position, Applicant, nevertheless, solicited the Examiner's suggestions for

alternative language that could be utilized in the independent claims to more clearly emphasize the admitted distinctions between the references relied upon by the Examiner and the present application. In the above-noted Reply of May 31, 2007, Applicant amended claims 1 and 19 to indicate that the spacer remains stationary with respect to the supporting member during movement of the manipulation member.

In view of the above discussion and in view of the previously submitted amendments, Applicant respectfully submit that all the claims in the present application clearly distinguish and define over the references of record herein, whether considered individually or even if considered in any proper combination.

Accordingly, Applicant respectfully requests entry of the presently submitted claims, reconsideration and withdrawal of the outstanding rejection and an indication of the allowability of all the claims pending herein, in due course. Such action is respectfully requested and is now believed to be appropriate and proper.

Applicant has made a sincere effort to place the present application in condition for allowance and believes that he has now done so. Applicant has resubmitted the claims previously submitted in the response of May 31, 2007, and has again made a brief record of the telephone interview conducted on May 17, 2007. Applicant has restated, in brief, a basis for the amendments to the claims made as a result of the above-noted interview which were made without in any manner acquiescing in the propriety of the Examiner's interpretations or positions taken during the above-noted interview. Rather, the previously made amendments were made only to even more clearly emphasize the distinctions and differences between the present invention and the combination of references relied upon by the Examiner. Accordingly, in view of the above, Applicant has now clearly provided a solid evidentiary basis supporting the

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patentability of all the claims in the present application and respectfully request an indication to such effect, in due course.

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
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